MONTANA LEGISLATIVE HISTORY

Chapter 144 1991

Bill H 182 S _____ Original bill & history ✓C

H. Committee on Local Government		S. Committee on Local Government	
Hearing Date(s) Feb 02	✓C	Hearing Date(s) Mar 02	✓C
_____	___C	_____	___C
_____	___C	_____	___C
_____	___C	_____	___C
Date Out Feb 02	✓C	Mar 08	✓C

Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

HOUSE BILL NO. 182

INTRODUCED BY Lawson, Tutt, Barnett, Dave Keller, J. Bach

A BILL FOR AN ACT ENTITLED: "AN ACT EXPANDING THE AUTHORITY OF RURAL FIRE DISTRICT TRUSTEES TO PROVIDE FIREFIGHTING PERSONNEL AND EMERGENCY RESPONSE EQUIPMENT AND PERSONNEL; AND AMENDING SECTION 7-33-2105, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-33-2105, MCA, is amended to read:

"**7-33-2105. Powers and duties of trustees.** (1) The trustees shall prepare and adopt suitable bylaws.

(2) The trustees shall have the authority to provide adequate and standard firefighting and emergency response apparatus, equipment, personnel, housing, and facilities for the protection of the district. They shall appoint and form fire companies that shall have the same duties, exemptions, and privileges as other fire companies.

(3) The trustees shall prepare annual budgets and request special levies therefor. The budget laws relating to county budgets shall, as far as applicable, apply to fire districts."

-End-

INTRODUCED BIL
HB 182

HOUSE BILL NO. 182

INTRODUCED BY LARSON, TOOLE, BARNETT,
GOULD, DAVIS, KELLER, G. BECK

IN THE HOUSE

JANUARY 14, 1991	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
JANUARY 15, 1991	FIRST READING.
FEBRUARY 8, 1991	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
	POSTED ON CONSENT CALENDAR.
FEBRUARY 9, 1991	CONSENT CALENDAR, QUESTIONS AND ANSWERS.
	ENGROSSING REPORT.
FEBRUARY 11, 1991	THIRD READING, PASSED. AYES, 100; NOES, 0.
	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 12, 1991	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
	FIRST READING.
MARCH 8, 1991	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 12, 1991	SECOND READING, CONCURRED IN.
MARCH 13, 1991	THIRD READING, CONCURRED IN. AYES, 47; NOES, 3.
	RETURNED TO HOUSE.

IN THE HOUSE

MARCH 14, 1991	RECEIVED FROM SENATE.
	SENT TO ENROLLING.
	REPORTED CORRECTLY ENROLLED.

4/18	3RD READING AMENDMENTS CONCURRED	73	26
4/20	SIGNED BY SPEAKER		
4/20	SIGNED BY PRESIDENT		
4/20	TRANSMITTED TO GOVERNOR		
4/25	RETURNED TO HOUSE WITH GOVERNOR'S AMENDMENTS		
4/25	2ND READING GOVERNOR'S AMENDMENTS CONCURRED	71	27
	TRANSMITTED TO SENATE		
4/29	2ND READING GOVERNOR'S AMENDMENTS CONCURRED	48	0
4/29	3RD READING GOVERNOR'S AMENDMENTS CONCURRED	48	0
	RETURNED TO HOUSE		
5/03	SIGNED BY SPEAKER		
5/03	SIGNED BY PRESIDENT		
5/03	TRANSMITTED TO GOVERNOR		
5/17	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 779	EFFECTIVE DATE: 7/01/91	

HB 180 INTRODUCED BY LARSON, ET AL.
CLARIFYING THE RIGHT OF VOLUNTEER FIREFIGHTERS TO DEFERRED COMPENSATION

1/14	INTRODUCED		
1/14	REFERRED TO STATE ADMINISTRATION		
1/15	FIRST READING		
1/22	HEARING		
1/22	TABLED IN COMMITTEE		

HB 181 INTRODUCED BY LARSON, ET AL.
REQUIRE HOME SELLER TO GIVE BUYER NOTICE OF WHETHER SMOKE DETECTOR PRESENT

1/14	INTRODUCED		
1/14	REFERRED TO BUSINESS & ECONOMIC DEVELOPMENT		
1/15	FIRST READING		
1/18	HEARING		
1/18	COMMITTEE REPORT—BILL PASSED AS AMENDED		
1/23	2ND READING PASSED	66	34
1/25	3RD READING PASSED	62	35
	TRANSMITTED TO SENATE		
1/25	REFERRED TO BUSINESS & INDUSTRY		
1/26	FIRST READING		
2/04	HEARING		
2/04	COMMITTEE REPORT—BILL CONCURRED		
2/05	2ND READING CONCURRED	43	5
2/06	3RD READING CONCURRED	38	9
	RETURNED TO HOUSE		
2/11	SIGNED BY SPEAKER		
2/11	SIGNED BY PRESIDENT		
2/11	TRANSMITTED TO GOVERNOR		
2/15	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 30	EFFECTIVE DATE: 10/01/91	

HB 182 INTRODUCED BY LARSON, ET AL.
ALLOW RURAL FIRE TRUSTEES TO PROVIDE ADEQUATE EQUIPMENT AND PERSONNEL

1/14	INTRODUCED
1/14	REFERRED TO LOCAL GOVERNMENT
1/15	FIRST READING
2/07	HEARING

2/08	COMMITTEE REPORT—BILL PASSED		
2/08	PLACED ON CONSENT CALENDAR		
2/11	3RD READING PASSED	100	0
	TRANSMITTED TO SENATE		
2/12	FIRST READING		
2/12	REFERRED TO LOCAL GOVERNMENT		
3/07	HEARING		
3/08	COMMITTEE REPORT—BILL CONCURRED		
3/12	2ND READING CONCURRED	49	0
3/13	3RD READING CONCURRED	47	3
	RETURNED TO HOUSE		
3/20	SIGNED BY SPEAKER		
3/20	SIGNED BY PRESIDENT		
3/20	TRANSMITTED TO GOVERNOR		
3/25	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 144	EFFECTIVE DATE: 10/01/91	

HB 183 INTRODUCED BY RANEY, ET AL.
SENIOR CITIZENS' PROPERTY TAX DEFERRAL

1/15	INTRODUCED
1/15	REFERRED TO TAXATION
1/15	FIRST READING
1/15	FISCAL NOTE REQUESTED
1/21	FISCAL NOTE RECEIVED
1/22	FISCAL NOTE PRINTED
1/22	HEARING
2/19	TABLED IN COMMITTEE

HB 184 INTRODUCED BY COBB, ET AL.
3-VEHICLE EXEMPTION FROM LAW ON KEEPING OF JUNK VEHICLES

1/15	INTRODUCED
1/15	REFERRED TO LOCAL GOVERNMENT
1/15	FIRST READING
1/24	HEARING
1/25	TABLED IN COMMITTEE

HB 185 INTRODUCED BY ELLISON
RAISE NUMBER OF NONRESIDENT B-10 LICENSES THAT MAY BE SOLD IN A LICENSE YEAR

1/15	INTRODUCED
1/15	REFERRED TO FISH & GAME
1/15	FIRST READING
1/15	FISCAL NOTE REQUESTED
1/21	FISCAL NOTE RECEIVED
1/21	FISCAL NOTE PRINTED
1/24	HEARING
3/13	TABLED IN COMMITTEE

HB 186 INTRODUCED BY DAVIS
REPLACE ANNUAL UNDERGROUND STORAGE TANK FEES WITH A ONE-TIME FEE

1/15	INTRODUCED
1/15	REFERRED TO NATURAL RESOURCES
1/15	FIRST READING
1/15	FISCAL NOTE REQUESTED
1/21	FISCAL NOTE RECEIVED
1/21	FISCAL NOTE PRINTED
1/23	HEARING
2/08	TABLED IN COMMITTEE

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By DIANA WYATT CHAIR, on February 7, 1991, at 3:00 p.m.

ROLL CALL

Members Present:
- Diana Wyatt, Chair (D)
- Jessica Stickney, Vice-Chair (D)
- Joe Barnett (R)
- Arlene Becker (D)
- Vivian Brooke (D)
- Dave Brown (D)
- Brent Cromley (D)
- Paula Darko (D)
- Tim Dowell (D)
- Budd Gould (R)
- Stella Jean Hansen (D)
- Harriet Hayne (R)
- Ed McCaffree (D)
- Tom Nelson (R)
- Sheila Rice (D)
- Richard Simpkins (R)
- Norm Wallin (R)

Members Excused: REP. J. RICE (R)

Staff Present: Bart Campbell, Legislative Council
Lois O'Connor, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Announcements/Discussion: CHAIR WYATT appointed REPS. S. J. HANSEN, BARNETT, and BECKER to the subcommittee on HB 201.

HEARING ON HB 182

Presentation and Opening Statement by Sponsor:

REP. LARSON, House District 65, Seeley Lake, stated HB 182 expands the authority of rural fire district trustees to provide firefighting personnel and emergency response equipment and personnel. The rural fire districts trustees have no authority to purchase this type of equipment.

Proponents' Testimony:

James Lofftus, Montana Fire Districts Association, stated that since it is not written in the law, rural fire district trustees cannot buy emergency response equipment. HB 182 is a house keeping bill which would alleviate that problem.

Lyle Nagel, Montana Fire Chiefs Association, went on record in support of HB 182.

Bruce Suenram, Missoula Rural Fire District, said HB 182 was a housekeeping tool that would authorize fire districts to purchase emergency response equipment.

Brett Haggerty, Gallatin Valley Fire Council, provided written testimony. **EXHIBIT 1**

Opponents: None

Questions From Committee Members: None

Closing by Sponsor:

REP. LARSON stated HB 182 was part of a package of bills being introduced for the rural fire districts. There are over 400 fire districts in Montana. They need the authority to purchase emergency response equipment.

HEARING ON HB 296

Presentation and Opening Statement by Sponsor:

REP. BENEDICT, House District 64, Hamilton, stated HB 296 would give counties options in purchasing equipment on installment contracts. Current law allows for a five year term. HB 296 doesn't change the maximum allowable debt a county can have, but it does give counties flexibility in the terms. Counties need this flexibility to pay back loans.

Proponents' Testimony:

Gary Allen, Ravalli County Commissioner, stated a five year period is not enough time to pay back a debt incurred.

Gorden Morris, Montana Association of Counties, stated currently counties have an indebtedness limit of $500,000 without a vote of the people. Extending the pay back time to 10 years gives the counties greater flexibility.

James Lofftus, Montana Fire Districts Association, went on record in support of HB 296.

Opponents' Testimony: None

Questions From Committee Members:

own salary bill to the Local Government Committee.

REP. S. RICE asked **REP. DARKO** to explain Page 3, Line 4. **REP. DARKO** said that with every 100 people you raise the salary increment. The increment would be according to the population of the county.

REP. SIMPKINS asked **REP. DARKO** if a county had a population increase, would you have an increase in the base salary. **REP. DARKO** said the increases had to be based on the census each ten years.

CHAIR WYATT asked **REP. DARKO** if she objected to a change on Page 9, Line 3 stating "up to 100% or must" leaving the Committee some flexibility. **REP. DARKO** stated the CPI Index is the most controversial part of the bill but that portion of HB 497 is negotiable.

Closing by Sponsor:

REP. DARKO stated financial concerns are on everyone's minds. The salaries of elected county officials are at a crisis state. These officials are responsive to the people who elected them, and they are not going to make bad decisions. They are the most fiscally responsible people because they have limited resources. The flexibility of the "80% up to 100%" will address the concerns of all people.

EXECUTIVE ACTION ON HB 57

Discussion:

REP. DOWELL stated the subcommittee heard from the Attorney Generals office which has solved the problem. **REP. GERVAIS**, sponsor, has asked the committee to table HB 57.

Motion/Vote: **REP. DOWELL MOVED TO TABLE HB 57.** Motion carried unanimously.

EXECUTIVE ACTION ON HB 182

Motion/Vote: **REP. GOULD MOVED HB 182 DO PASS.** Motion carried unanimously.

Motion/Vote: **REP. SIMPKINS MOVED HB 182 TO BE PLACED ON CONSENT CALENDAR.** Motion carried unanimously.

EXECUTIVE ACTION ON HB 296

Motion/Vote: **REP. GOULD MOVED HB 296 DO PASS.** Motion carried unanimously.

HOUSE OF REPRESENTATIVES

LOCAL GOVERNMENT COMMITTEE

ROLL CALL DATE 2-7-91

NAME	PRESENT	ABSENT	EXCUSED
Rep. Paula Darko	X		
Rep. Jessica Stickney, Vice-Chair	X		
Rep. Joe Barnett	X		
Rep. Arlene Becker	X		
Rep. Vivian Brooke	X		
Rep. Dave Brown	X	[redacted]	
Rep. Brent Cromley	X		
Rep. Tim Dowell	X		
Rep. Budd Gould	X		
Rep. Stella Jean Hansen	X		
Rep. Harriet Hayne	X		
Rep. Ed McCaffree	X		
Rep. Tom Nelson	X		
Rep. Jim Rice			X
Rep. Sheila Rice	X		
Rep. Richard Simpkins	X		
Rep. Norm Wallin	X		
Rep. Diana Wyatt, Chair	X		

CS05LOCGOV.MAN

State of Montana

DATE 2-7-91
HB 182

County of Gallatin

Bozeman

February 7, 1991

Montana State Legislature
Capital Station
Helena, MT 59620

Dear Legislators:

The Gallatin County Commission unanimously supports House Bill 182 to allow rural fire district trustees to provide emergency response equipment and personnel. Gallatin County is so large, that medical response resources have difficulty in responding quickly and effectively in all parts of the county. We believe that volunteer fire fighters who are trained to be first responders and who are willing to respond, should be given the authority to assist. It is a shame to overlook this valuable resource which could save lives. Keep in mind that this bill does not require any fire district to provide this service; it is discretionary.

We strongly urge you to vote for House Bill 182.

Sincerely,

GALLATIN COUNTY COMMISSION

Jane Jelinski, Chairman

A. D. Pruitt, Member

Deb Berglund, Member

ch

HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

Local Govn. COMMITTEE BILL NO. 182

DATE 2-7-91 SPONSOR(S) Larson

PLEASE PRINT PLEASE PRINT PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
JAMES A LOFFTUS MISSOULA	MT. FIRE DIST. ASSC.	✓	
Bruce Suenam	Missoula Rural Fire Dist	✓	
Scott Waldron	Trenchton Fire	✓	
Lyle Nagel	Mt-St. Fire Chiefs Assn mt. st. Vol. Firefighters Assn	—	
T. Boer	Gallatin Co. Commissioners ~~Gallatin~~ Gallatin Co Fire Council	✓	
Gordon Morris	MACo.		
Barry Michelotti Great Falls	Cascade County Sheriff/Rural Fire	✓	
Marvin Baden	A P A	2	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

MINUTES

MONTANA SENATE
52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By Vice-Chairman Eleanor Vaughn, on March 7, 1991, at 3:20 p.m.

ROLL CALL

Members Present:
Esther Bengtson, Chairman (D)
Eleanor Vaughn, Vice Chairman (D)
Thomas Beck (R)
Dorothy Eck (D)
H.W. Hammond (R)
Ethel Harding (R)
John Jr. Kennedy (D)
Gene Thayer (R)
Mignon Waterman (D)

Members Excused: none

Staff Present: Connie Erickson (Legislative Council).

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Announcements/Discussion: none

HEARING ON HB-182

Presentation and Opening Statement by Sponsor: Representative Don Larson, District 65, said his bill expands rural fire districts to allow trustees to provide firefighting personnel and emergency response equipment. This bill permits the expansion of the purchasing authority of the fire districts to buy ambulances, search and rescue equipment, hazardous duty equipment, and other things not normally associated with strict firefighting. The roll of volunteer firefighting groups has greatly expanded, so their equipment needs have also expanded. They have not been specifically authorized to buy those other types of equipment.

Proponents' Testimony: James Lofftus, Montana Fire Districts Association, and also representing the Missoula Rural Fire District and Lockwood Fire District, said that county attorneys have said that if the law doesn't say it, then the fire districts can't do it. Many districts have heavy rescue trucks that are

not essential firefighting equipment. Missoula Rural has a hazard materials van, and they responded last night to a call at the Stone Container Corporation. The spill was sulfuric acid. This is just a clean up bill that permits fire districts to buy this other equipment such as pickups, suburbans, cars, etc. that are used for other types of responses.

James Balke, Gallatin County Fire Council and Belgrade Rural Fire District, support this bill.

Opponents' Testimony: none

Questions From Committee Members:
Senator Hammond asked what this bill will do? Mr. Balke said it would legalize what is already being done by some fire districts.

Senator Thayer asked Representative Larson why the term "personnel" is in the bill? Representative Larson was not sure. Mr. Lofftus answered by stating that some fire districts have paid personnel. Missoula Rural and Lockwood have paid personnel, and other districts have looked at the idea.

Senator Beck asked what "adequate and standard personnel" would be? Representative Larson said some fire districts that have partially paid/partially volunteer. This bill authorizes them to hire a part-time EMT or medical personnel, and then that skill would be brought into the unit. The new member could cross train the other volunteer firefighters.

Closing by Sponsor: Representative Larson closed by stating that there are over 400 volunteer firefighter units in the state of Montana. They are important to the communities they serve. They operate voluntarily, and they need to give them every bit of support, and this bill is a small clarification to help them.

Senator Vaughn asked if Representative Larson had someone to carry it. Representative Larson said that Senator Thayer was very capable.

EXECUTIVE ACTION ON HB-182

Motion: Senator Thayer moved to Concur in HB-182. The motion was unanimous, and was recorded as a roll call vote. Senator Thayer will carry HB-182.

COMMITTEE ON SENATE LOCAL GOVERNMENT

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One: Support	Check One: Oppos
John Maughan	State Tax Appeal Board	HB-361	✓	
James A. Loftus	MT Fire Dist Assn	HB 182	✓	
James Balke	Gallatin Co Fire Council / Belgrade Rural Fire Dist	HB182	✓	
Mark Lancaster	West Helena Valley Fire	HB182	✓	
Joe Steiner	City of Bozeman	SB407		
Tom Leonard	West Helena Valley F.D.	HB 182	✓	

(Please leave prepared statement with Secretary)

ROLL CALL

SENATE LOCAL GOVERNMENT COMMITTEE

DATE 3-7-91

52 LEGISLATIVE SESSION ____

NAME	PRESENT	ABSENT	EXCUSED
Senator Beck	X		
Senator Bengtson	X came late		X
Senator Eck	X		
Senator Hammond	X		
Senator Harding	X		
Senator Kennedy	X		
Senator Thayer	X		
Senator Vaughn	X		
Senator Waterman	X		

Each day attach to minutes.

SENATE STANDING COMMITTEE REPORT

March 8, 1991

MR. PRESIDENT:

We, your committee on Local Government having had under consideration House Bill No. 182 (third reading copy -- blue), respectfully report that House Bill No. 182 be concurred in.

Signed: _____
Eleanor Vaughn, Vice Chairman

3-8-91
Asst. Coord.

3-8-91
Sec. of Senate

ROLL CALL VOTE

SENATE COMMITTEE LOCAL GOVERNMENT

Date 3-7-91 Bill No. HB-182 Time 3:30

NAME	YES	NO
SENATOR BECK	X	
SENATOR BENGTSON		
SENATOR ECK	X	
SENATOR HAMMOND	X	
SENATOR HARDING	X	
SENATOR KENNEDY		
SENATOR THAYER	X	
SENATOR VAUGHN	X	
SENATOR WATERMAN	X	

JOYCE INCHAUSPE-CORSON
Secretary

ESTHER BENGTSON
Chairman

Motion: move to Concur in

HOUSE BILL NO. 182

INTRODUCED BY LARSON, TOOLE, BARNETT,

GOULD, DAVIS, KELLER, G. BECK

A BILL FOR AN ACT ENTITLED: "AN ACT EXPANDING THE AUTHORITY OF RURAL FIRE DISTRICT TRUSTEES TO PROVIDE FIREFIGHTING PERSONNEL AND EMERGENCY RESPONSE EQUIPMENT AND PERSONNEL; AND AMENDING SECTION 7-33-2105, MCA."

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-End-

REFERENCE BILL
HB 182